



## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.: 09/287,248

§ Examiner: K. Padmanabhan

Confirmation No.: 6075

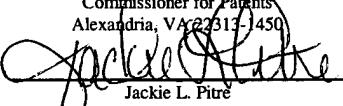
§ Art Unit: 1641

Filing Date: April 7, 1999

§ Atty. Dkt. No.: 5119-00501

Inventors: McDevitt et al.

Title: FLUID BASED ANALYSIS  
OF MULTIPLE ANALYTES  
BY A SENSOR ARRAY

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8	
DATE OF DEPOSIT: <u>5/24/04</u>	
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail on the date indicated above and is addressed to:	
§	Commissioner for Patents
§	Alexandria, VA 22313-1450
§	
§	Jackie L. Pitre

RESPONSE TO OFFICE ACTION MAILED FEBRUARY 24, 2004

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Please accept the following response to the Office action mailed August 18, 2003.

**A. Pending Claims**

Claims 1-36, 39, 173, and 174 are pending.

**B. Double Patenting**

The Examiner rejected or provisionally rejected the claims of the present application over: U.S. Patent No. 6,602,702; U.S. Patent No. 6,680,206; and U.S. Patent Application No. 10/427,744. Applicant does not believe that a terminal disclaimer is necessary for the present application, but in the interest of expediency, a terminal disclaimer over the above noted patents

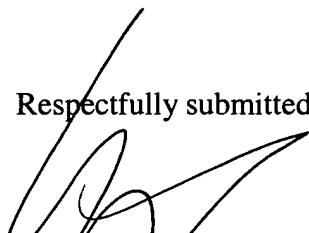
and patent application has been submitted.

**C. Additional Comments**

Applicant submits that all claims are in condition for allowance. Favorable reconsideration is respectfully requested.

A Fee Authorization for the terminal disclaimer fee is enclosed. If any extension of time is required, Applicant hereby requests the appropriate extension of time. If any additional fees are required or if any fees have been overpaid, please appropriately charge or credit those fees to Meyertons, Hood, Kivlin, Kowert & Goetzel, P.C. Deposit Account Number 50-1505/5119-00501/EBM.

Respectfully submitted,



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